

Cliff Fonstein  
Joanne Seltzer  
Sidley Austin LLP  
787 Seventh Avenue  
New York, New York 10019  
(212) 839-5300

Attorneys For Defendant  
Deutsche Bank Securities Inc.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
DANIEL B. GRAVES,  
:  
:  
Plaintiff, : 07 Civ. 5471 (BSJ)  
:  
- against - : **NOTICE OF MOTION FOR**  
:  
DEUTSCHE BANK SECURITIES INC. : **SANCTIONS**  
:  
Defendant. :  
:  
----- X

To: Attorneys for Plaintiff:  
Richard T. Seymour  
Law Office of Richard T. Seymour, P.L.L.C.  
1150 Connecticut Avenue N.W., Suite 900  
Washington, D.C. 20036-4129

Steven A. Berger  
Berger & Webb, LLP  
1633 Broadway, 46<sup>th</sup> Floor  
New York, New York 10019

**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law and Affidavit of Cliff Fonstein, the undersigned will move this Court before The Honorable Barbara S. Jones at the United States Courthouse, 500 Pearl Street, New York, New York 10007

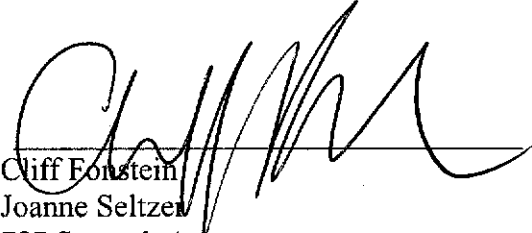
for an order under Rule 11 of the Federal Rules of Civil Procedure for sanctions against Plaintiff, Daniel Graves, and his counsel Richard Seymour of the Law Office of Richard T. Seymour, P.L.L.C. and Steven Berger of Berger and Webb, LLP.

Respectfully submitted,

Dated: May 5, 2008  
New York, New York

SIDLEY AUSTIN LLP

By:



Cliff Fomstein  
Joanne Seltzer  
787 Seventh Avenue  
New York, New York 10019  
(212) 839-5300

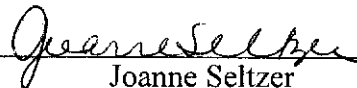
Attorneys for Defendant  
Deutsche Bank Securities Inc.

**CERTIFICATE OF SERVICE**

I, Joanne Seltzer, an attorney admitted to practice in the State of New York, and not a party to this action, state under penalty of perjury that on this 6th day of May, 2008, I caused a true and correct copy of the foregoing Notice of Motion For Sanctions to be served upon the following parties:

Attorneys for Plaintiff:  
Richard T. Seymour  
Law Office of Richard T. Seymour, P.L.L.C.  
1150 Connecticut Avenue N.W., Suite 900  
Washington, D.C. 20036-4129  
(by Federal Express Overnight Delivery)

Steven A. Berger  
Berger & Webb, LLP  
1633 Broadway, 46<sup>th</sup> Floor  
New York, New York 10019  
(by Hand)

  
Joanne Seltzer